

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

GILBERT CAMPBELL,	:	CIVIL ACTION
Petitioner,	:	
	:	
v.	:	
	:	
PA. DEP'T. OF CORRECTIONS,	:	
<i>et al.,</i>	:	
Respondents.	:	No. 15-3057

ORDER

AND NOW, this 18th day of April, 2016, having considered the Petition for Writ of *Habeas Corpus* filed by Petitioner Gilbert Campbell (Docket No. 1), the Response thereto (Docket No. 12), Petitioner's Reply (Docket No. 15), U.S. Magistrate Judge Lynne A. Sitarski's Report & Recommendations (Docket No. 16), and Petitioner's state court record, it is hereby **ORDERED** that:

1. The Report & Recommendations are **APPROVED** and **ADOPTED**.¹
2. The Petition for Writ of Habeas Corpus is **DENIED** with prejudice.
3. There is no probable cause to issue a certificate of appealability.²

¹ The time for filing objections has now passed; no party has objected to Magistrate Judge Sitarski's Report and Recommendation.

² A certificate of appealability may issue only upon "a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2). A petitioner must "demonstrate that reasonable jurists would find the district court's assessment of the constitutional claims debatable or wrong." *Slack v. McDaniel*, 529 U.S. 473, 484 (2000); *Lambert v. Blackwell*, 387 F.3d 210, 230 (3d Cir. 2004). The Court agrees with U.S. Magistrate Judge Sitarski that there is no probable cause to issue such a certificate in this action.

4. The Clerk of Court shall mark this case **CLOSED** for all purposes, including statistics.

BY THE COURT:

S/GENE E.K. PRATTER
GENE E.K. PRATTER
UNITED STATES DISTRICT JUDGE